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PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031 Please type a plus sign (+) inside this box -> [+] U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Applicati n Number 09/769,223 TRANSMITTAL Filing Date January 24, 2001 **FORM** SEP 0 6 2002 First Nam d Invent r Raoul E. Benveniste 1648 (to be used for ail correspondence after initial filing) **Group Art Unit** TECH CENTER 1600/290 Jeffrey S. Parkin **Examiner Name** Total Number of Pages in This Submission Attorney Docket Number 015280-196310US ENCLOSURES (check all that apply) After Allowance Communication to ☐ Fee Transmittal Form (for an Application) Group Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Reply (Appeal Notice, Brief, Reply Brief) After Final Petition Proprietary Information Petition to Convert to a Affidavits/declaration(s) Status Letter Provisional Application Power of Attorney, Revocation Other Enclosure(s) Extension of Time Request Change of Correspondence Address (please identify below): Terminal Disclaimer Return Postcard Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) The Commissioner is authorized to charge any additional fees to Certified Copy of Priority Deposit Account 20-1430. Remarks Document(s) **COPY OF PAPERS** Response to Missing Parts/ ORIGINALLY FILED Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Townsend and Townsend and Crew LLP Firm and Frank J. Mycroft Reg. No. 46,946 Individual name Signature August 29, 2002 Date **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 2023 Lon. this. date: August 29, 2002

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On \_\_\_\_\_\_ August 29, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Maska M. Minttreen.

Masha M. Martinenko

Attorney Docket No.: 15280-196310US Client Reference No.: E-054-94/2

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Raoul E. Benveniste, et al.

Application No.: 09/769,223

Filed: January 24, 2001

For: METHOD OF INDUCING CELL-MEDIATED PROTECTIVE IMMUNITY AGAINST HIV USING LOW DOSES OF

**IMMUNOGENS** 

Examiner:

Jeffrey S. Parkin

Art Unit:

1648

RESPONSE TO RESTRICTION REQUIREMENT/AMENDMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed on July 29, 2002, Applicants elect to prosecute Group VI: Claims 17, 18, and 20 drawn to a method of vaccinating a human against HIV infection using an immunogen that will induce a cell-mediated immune response without inducting a humoral immune response, classified in class 424, subclass 188.1 and 208.1.

Applicants traverse the restriction requirement between Groups V, VI, and VII on the basis that it would not create an undue burden for the Examiner to search the subject matter of these groups which have the same class and subclass.

In light of the restriction requirement and subsequent election, Applicants further present some amendments to the claims and respectfully request their entry.